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EXAMINER
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BAYARD, DJENANE M

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 09/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,561

Applicant(s)

MORITA, TORU

Examiner

Djenane M. Bayard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This is in response to amendment filed on 5/23/05 in which claims 1-20 are pending.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Objections***

3. Claim 4 is objected to because of the following informalities: the statement "an DNS" should be "a DNS". Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 1-3, 5, 7-12, 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,694,133 to Tobita et al in view of U.S. Patent No. 6,370,394 to Anttila

- a. As per claims 1, 14 and 16, Tobita et al teaches an image providing system and method. Furthermore, Tobita et al teaches communication means, including a subscriber telephone network, for establishing communication with a multi-function mobile telephone (See col. 8, lines 60 and figure 1); a content providing apparatus for providing content terminal (See col. 8,

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line 59 and figure 1), and a relay apparatus connected to the multi-function mobile telephone, through the subscriber telephone network (See col. 9, lines 45-48), the relay apparatus being operable to convert an intrinsic identifier of the multi-function mobile telephone into an ID code unique to the multi-function mobile telephone, wherein communication between the multi-function mobile telephone and the content providing apparatus is performed through the relay apparatus based on the ID code (See col. 9, lines 67 and col. 10m lines 1-4). However, Tobita fails to teach wherein the relay apparatus converts a telephone number into an ID code.

Anttila teaches a system and method for transferring a call and a mobile station.

Furthermore, Anttila teaches wherein the telephone number is converted into an ID code (See col. 4, lines 25-44, "Routing is facilitated by a database arranged in connection with the network server, in which database is stored the identification information defined for the telephone number of each mobile station").

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the telephone number is converted into an ID code as taught by Anttila in the claimed invention of Tobita et al in order to provide an arrangement in which the same devices can be used as terminal devices in the telecommunication system equally well while connected to telecommunication networks realized using line connections (See col. 3, lines 34-41).

b. As per claim 2, Tobita et al in view of Anttila teaches the claimed invention as described above. However, Tobita et al fails to teach a system comprising an information terminal

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connected to the multi-function mobile telephone and having a display device larger in size than a display device of the multi-function mobile telephone.

Anttila teaches an information terminal connected to the multi-function mobile telephone and having a display device larger in size than a display device of the multi-function mobile telephone (See col. 9, lines 37-42).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate an information terminal connected to the multi-function mobile telephone and having a display device larger in size than a display device of the multi-function mobile telephone as taught by Anttila in the claimed invention of Tobita et al in order to in order to provide an arrangement in which the same devices can be used as terminal devices in the telecommunication system equally well while connected to telecommunication networks realized using line connections (See col. 3, lines 34-41).

c. As per claim 3, Tobita et al in view of Anttila teaches the claimed invention as described above. Furthermore, Tobita et al teaches wherein the communication means comprises the Internet and the relay apparatus is a gateway arranged to the subscriber telephone network to connect the subscriber telephone network to the Internet (See col. 9, lines 45-48).

d. As per claim 5, Tobita et al in view of Anttila teaches the claimed invention as described above. Furthermore, Tobita et al teaches wherein the content providing apparatus is an Internet server which provides one or both a program and/or data for video gaming (See col. 9, lines 1-

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10)..

e. As per claim 7, Tobita et al in view of Anttila teaches the claimed invention as described above. Furthermore, Tobita et al teaches wherein the relay apparatus comprises a unit which notifies the content providing apparatus of the ID code of the multi-function mobile telephone (See col. 10, lines 1-5).

f. As per claim 8, Tobita et al in view of Anttila teaches the claimed invention as described above. Furthermore, Tobita et al teaches an information terminal connected to the subscriber telephone network using the multi-function mobile telephone, wherein the content providing apparatus includes a unit operable to provide the content to the information terminal; and a unit operable to identify the information terminal to which the content is provided based on the ID code notified of by the relay apparatus (See col. 11, lines 1-10).

g. As per claims 9, 15, 18-20, Tobita et al teaches a system for providing a content, comprising: a telephone communication network (See col. 8, line 60 and figure 1); a computer network; a server, connected to the computer network, for providing the content (See col. 8, line 59 and figure 1); a terminal, connected to the telephone communication network, and having a telephone number unique thereto (See col. 10, lines 22-25); and a relay apparatus for connecting the telephone communication network to the computer network; wherein the relay apparatus comprises: a unit for relaying communications between the terminal and the server, a unit for connecting the terminal to the computer network in response to a dial-up connection request

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from the terminal (See col. 9, lines 45-48),, and a unit for notifying the server of the unique code (See col. 10, line 4); and the server comprises: a unit for providing the content to the terminal, and a unit for identifying the terminal to which the content is provided, based on the unique code notified of by the relay apparatus (See col. 11, lines 1-20).

Anttila teaches a system and method for transferring a call and a mobile station. Furthermore, Anttila teaches wherein the telephone number is converted into an ID code (See col. 4, lines 25-44, "Routing is facilitated by a database arranged in connection with the network server, in which database is stored the identification information defined for the telephone number of each mobile station").

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the telephone number is converted into an ID code as taught by Anttila in the claimed invention of Tobita et al in order to provide an arrangement in which the same devices can be used as terminal devices in the telecommunication system equally well while connected to telecommunication networks realized using line connections (See col. 3, lines 34-41).

h. As per claim 10, Tobita et al in view of Anttila teaches the claimed invention as described above. Furthermore, Tobita et al teaches wherein the computer network is the Internet (See col. 8, line 63 and figure 1)

i. As per claim 11, Tobita et al in view of Anttila teaches the claimed invention as described above. Furthermore, Tobita et al teaches wherein the terminal comprises a mobile telephone

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connected to the telephone communication network (See col. 8, line 64 and figure 1).

j. As per claim 12, Tobita et al in view of Anttila teaches the claimed invention as described above. Furthermore, Tobita et al teaches wherein the unit for detecting the telephone number of the terminal detects the telephone number of the terminal when the terminal places the dial-up connection request (See col. 9, line 67 and col. 10, lines 1-5).

k. As per claim 17, Tobita et al teaches a method for providing a content using a system including a telephone communication network, a computer network, a server, connected to the computer network, for providing the content, a terminal, connected to the telephone communication network, and having a telephone number unique thereto, and a relay apparatus for connecting the telephone communication network to the computer network (See col. 8, lines 58-65 and figure 1), the method comprising the steps of: in a relaying operation performed by the relay apparatus between the terminal and the server, connecting the terminal to the computer network in response to a dial-up connection request from the terminal, and notifying the server of the unique code (See col. 10, lines 65-67 and col. 11, lines 1-10, and in the supplying of the content by the server to the terminal, identifying the terminal to which the content is provided, based on the unique code notified of by the relay apparatus (See col. 11, lines 11-20).

Anttila teaches a system and method for transferring a call and a mobile station. Furthermore, Anttila teaches wherein the telephone number is converted into an ID code (See col. 4, lines 25-44, "Routing is facilitated by a database arranged in connection with the network



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server, in which database is stored the identification information defined for the telephone number of each mobile station “).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the telephone number is converted into an ID code as taught by Anttila in the claimed invention of Tobita et al in order to provide an arrangement in which the same devices can be used as terminal devices in the telecommunication system equally well while connected to telecommunication networks realized using line connections (See col. 3, lines 34-41).

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,694,133 to Tobita et al in view of U.S. Patent No. 6,370,394 to Anttila as applied to claim 1 above, and further in view of U.S. Patent Application 2005/0021863 to Jungck.

a. As per claim 4, Tobita et al in view of Anttila teaches the claimed invention as described above. However, Tobita et al in view of Anttila failed to teach wherein the relay apparatus is a DNS server owned by an Internet service provider, and is connected to the multi-function mobile telephone through the subscriber telephone network.

Jungck teaches an apparatus and method for enhancing the infrastructure of a network such as the Internet. Furthermore, Jungck teaches wherein the relay apparatus is a DNS server owned by an Internet service provider, and is connected to the multi-function mobile telephone through the subscriber telephone network (See pages 4 and 9, paragraph [0039 and 0065]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the relay apparatus is an DNS server owned by an Internet service provider, and is connected to the multi-function mobile telephone through the subscriber telephone network as taught by Jungck in the claimed invention of Tobita et al in view of An Anttila in order to handle requests to translate the domain names services by that service provider or forward those requests to other DNS servers coupled with Internet for translation (See page 5, paragraph [0042]).

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,694,133 to Tobita et in view of U.S. Patent No. 6,370,394 to Anttila as applied to claim 1 above, and further in view of U.S. Patent No. 6,148,253 to Taguchi et al.

a. As per claim 6, Tobita et al in view of Anttila teaches the claimed invention was described above. However, Tobita et al in view of Anttila failed to teach wherein the information terminal connected to the multi-function mobile telephone is a video gaming machine which is operated while monitoring an image presented on the display device thereof.

Taguchi et al teaches wherein the information terminal connected to the multi-function mobile telephone is a video gaming machine which is operated while monitoring an image presented on the display device thereof (See col. 5, lines 8-16)

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the information terminal connected to the multi-function mobile telephone is a video gaming machine which is operated while monitoring an image

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presented on the display device thereof as taught by Taguchi et al in the claimed invention of Tobita et al in view of Anttila in order to enhance the value of the system (See col. 2, line24).

8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,694,133 to Tobita et al in view of U.S. Patent No. 6,370,394 to Anttila as applied to claim 9 above, and further in view of U.S. Patent Application 2001/0025275 to Tanaka et al.

a. As per claim 13, Tobita et al in view of Anttila teaches the claimed invention as described above. However, Tobita et al failed to teach wherein the server further comprises a unit which performs a fee billing process to the terminal to which the content is provided, based on the unique code notified of by the relay apparatus.

Tanaka et al teaches a system for Internet connections, for calculating connection fees for network connection services, billing system for network connecting s services, and system for network connection management. Furthermore, Tanaka et al teaches wherein the server further comprises a unit which performs a fee billing process to the terminal to which the content is provided (See pages 5 and 6, paragraph [0090]).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate wherein the server further comprises a unit which performs a fee billing process to the terminal to which the content is provided, based on the unique code notified of by the relay apparatus as taught by Tanaka et al in the claimed invention of Tobita et al in view of Anttila in order to calculate the telephone fee for each connection (See page 6, paragraph [0090]).

*Conclusion*

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M. Bayard whose telephone number is (571) 272-3878. The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Djenane Bayard

Patent Examiner



RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER